IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY NINETH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 10709 of 2004

Between:

1 S. Abzal Basha , S/o. Late Mohiddin,
Z.P.H. School Allamadugu, Chittoor District.
2 P.A. Basha Khan, S/o. Hassankhan,
Z.P.H. School Damalacheruvu, Chittoor District.
3 P. Khadar Basha, S/o. Syed Saheb,
Z.P.(URDU),H School Gurramkonda, Chittoor District.
4 K. Sahi Peer Saheb, S/o. Kandar Saheb,
Z.P.H. School Panapakam, Chittoor District.
5 B.G. Lakshmi Narasamma, W/o. Rajendram,
P.C.R. Govt. School, Chittoor, Chittoor District.

..... PETITIONERS

AND

1 The Government of A.P. rep. by its Secretary,
Education Department, Secretariat, Hyderabad.
2 The Commissioner and Director of School Education, A.P. Hyderabad.
3 The District Educational Officer, Chittoor, Chittoor District.
4 The Chief Executive Officer, Z.P., Chittoor, Chittoor District.
5 The District Audit Officer, Local Fund,
Chittoor, Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more in the nature of CERTIORARI calling for the records pertaining to impugned judgment dt. 18-6-2002 in O.A.No. 1079/2001 read with judgment dt. 13-06-2002 in O.A.No. 377/2001 and batch and quash the same in

so far as the petitioner herein is concerned and consequently declare the G.O.Ms.No. 176 Education dt. 22-12-2000 as null and void and further declare that the petitioners are entitled for up gradation to the post of Gr. I Pandit in terms of G.O.Ms.No. 330 Dt. 10-08-1983 dehorse the cut off date i.e., 11-03-1982 by extending the benefit of judgment dt. 17-08-1989 in R.P.No. 2158 of 1986 and G.O.Rt.No. 644 Education dt. 07-12-2000 as was extended to other similar situated persons including juniors with all consequential benefits and by holding the action of the respondents in not extending the benefit of up gradation to the petitioners on par with similarly situated persons without any valid reason or justification is illegal, arbitrary, discriminatory and subversive of Articles 14 and 16 of the Constitution of India.

For the Petitioners :MR.CH.JAGANNADHA RAO

For the Respondents : GP FOR EDUCATION

The Court Made the Following :

O R D E R:

It is submitted by the Learned Counsel for the petitioners that this writ petition is covered by the decision of this Court in W.P.No. 26260 of 2000 and batch dated 12-09-2003.

In view of the submission and following the ratio in the above judgment, this writ petition is disposed of in terms of the order referred to above. A copy of the order in W.P.No.26260 of 2000 and batch shall be annexed to this order. No costs.

29-06-2004

ASSISTANT REGISTRAR

To

1 The Secretary, (along with

Government of A.P., Education Department, (copy of the

Secretariat, Hyderabad. (order in
2 The Commissioner and Director of School (W.P.M.P.

Education, A.P. Hyderabad. (No.26260
3 The District Educational Officer, (of 2000

Chittoor, Chittoor District. (and
4 The Chief Executive Officer, Z.P., (batch.

Chittoor, Chittoor District. (
5 The District Audit Officer, Local Fund, (
Chittoor, Chittoor District. (

6. Two CCs to Government Pleader for Education(O.U.T)

7. Two CD copies.

8. The Registrar, AP Administrative Tribunal, Hyderabad.

Rns.